

MINUTES
Crested Butte Town Council
Regular Meeting
Crested Butte Town Hall
Tuesday, August 2, 2005

Mayor James Schmidt called the meeting to order at 7:04 p.m. Council members present: Margot Levy, Ron Chlipala, Bill Coburn, Michael Helland, and Skip Berkshire. Absent: Alan Bernholtz. Staff present: Town Manager Frank Bell, Town Attorney Laura Magner, Town Clerk Eileen Hughes, Town Planner John Hess, Finance Director Lois Rozman (for part of meeting) and Building Official Bob Gillie (for part of meeting).

Schmidt noted that during the work session prior to the regular meeting, Council and one member of the Board of Zoning and Architectural Review (BOZAR) made a site visit to Lot 21, Trappers Crossing at Crested Butte to Consider Relocation of Building Envelope and Council also toured the Paradise Park Subdivision.

Approval of the minutes of the July 18, 2005 regular council meeting.
Coburn moved and Chlipala seconded to approve the minutes of the July 18, 2005 regular council meeting. Roll call vote taken with all voting yes. **Motion passed unanimously.**

1. **PUBLIC COMMENTS**

Crested Butte resident Bill Roseberry, who resides at 788 Whiterock Avenue, said he and neighbors in the area are concerned about plans for the area between Eighth and Ninth Streets streets and he asked the council to put the item on the agenda in the future to discuss in more detail plans for the area. He said he realized that plans for the area are not part of the Crested Butte Arts and Recreation Master plan but he expressed concern about Eighth Street being developed as a street. Council noted that there are currently plans to install a pathway adjacent to the Eighth Street right of way. Roseberry said he thinks neighbors in the area do not have a problem if Town delays construction of the Eighth Street pathway. Council agreed to delay, at least through the winter, construction of a pathway along Eighth Street, as well as a winter path adjacent to Eighth Street. Council requested staff to schedule a work session in late October or early November to discuss future plans for the area.

2. **COUNCIL COMMENTS**

Levy:

- Thanked the Town Manager for successfully getting the Town designated as an enterprise zone. Asked staff to contact the Chamber of Commerce about providing information on the Town's website or the Chamber's website regarding the enterprise zone. Bell said he would look into providing a link on the Town and/or the Chamber website to Region 10's website, which provides detailed information regarding tax benefits of an enterprise zone.

Schmidt:

- Mountain Express received word from U.S. Congressman John Salazar's office that they received a sizeable grant for the construction of a new maintenance facility. Bell noted that he is trying to schedule John Salazar for a photo opportunity during the Colorado Association of Ski Towns (CAST) meeting to be held in Crested Butte on August 18 and 19.

3. **PUBLIC HEARINGS** –None

4. **OLD BUSINESS**

A) Consideration of Relocation of Building Envelope on Lot 21, Trappers Crossing at Crested Butte Adjacent to Peanut Lake.

Schmidt explained that the applicant is requesting that the building envelope be relocated 60 feet. He explained that although the subdivision is not in the town limits, that when the subdivision was approved part of the agreement stated that changes in building envelopes be approved by the Town. Architect Bill Roseberry, who submitted the request, said relocation of the building envelope would not make the project more visible.

Helland moved and Chlipala seconded to approve the relocation of the building envelope of Lot 21, Trappers Crossing at Crested Butte. Roll call vote taken with all voting yes. **Motion passed unanimously.**

5. **NEW BUSINESS**

A) Discussion of Next Steps for Crested Butte Arts and Recreation (CBAR) Planning.

Crested Butte Center for the Arts director, Pat Crow, explained that the Board of Directors of the Center for the Arts would like Council to delay a decision regarding the site for a performing arts center. She explained that the board wants more time to digest information and the board would also like to conduct a survey to gauge community sentiment on the site for a performing arts center. She said she was hopeful that a survey would result in broad community consensus on the location of a performing arts facility.

Center for the Arts board members Linda Powers, Ann Ronai and Leah Williams spoke in support of delaying a site decision at this time. Ronai said the board needed time to regroup; she said they were not expecting the Council's recent straw poll indicating a majority of the council preferred the current site of the Center for the Arts for a new or expanded facility.

Crested Butte resident Haden Spencer said she supported a survey and it would give local residents an avenue to voice their opinions and create more public awareness. Several council members said it was important to put a timeline on decision making regarding the CBAR Master Plan and expressed concern about losing momentum if decisions are delayed. Crow said she anticipated the survey would be an off-season project with completion anticipated by December, 2005.

Helland explained that he voiced support for a new or expanded performing arts Center at the current site after hearing increasing public opposition to locating a new performing Arts Center near the 4-way stop.

Council asked Crow to report back to the council regarding the survey.

Schmidt reported that he spoke with Michael Villanueva and the family feels strongly that the “Tommy V” field remain at its current location.

Council agreed to discuss recreational components of the Crested Butte Arts and Recreation Master Plan at the August 15, 2005 council meeting, specifically items 2 and 3 of Bell’s memo dated July 29, 2005 concerning Big Mine Park and plans for the proposed “community campus” area (near the community school). Additionally, Council agreed to discuss the parking component of the Sixth Street construction plan.

B) Mid-Year Budget Review

Finance director Lois Rozman said it was a pleasure to come before the council with good news on the budget. Rozman said she is comfortable with current fund balances. Rozman also reminded council to feel free to call her if they have any questions regarding the budget. Bell cautioned that the Town needs to be careful about possible adverse impacts related to construction in Mt. Crested Butte. He also noted that Town needs to pay attention to the affordable housing fund to make sure it stays healthy.

Levy requested Town Planner John Hess to recalculate (update) the affordable housing nexus. Berkshire commented that all of the Town’s fees should be reviewed, especially fees linked to the market place or the consumer price index.

C) Request from Crested Butte Nordic Council for Venture Grant of \$2,000 to Assist in Funding Development of Nordic Skiing Master Plan.

Crested Butte Nordic Council Director, Keith Bauer, said the Nordic Council would like to bring Nordic skiing to the next level and the Master Plan is a step towards that goal. He said he spoke with six former clients of the consulting firm he hopes to hire to develop the master plan and all the clients were very positive. He noted that the consultants will review Nordic council trails, programs, facilities and operations as well as other items such as local topography. Bauer noted that one-half of the \$2,500 donation from Crested Butte Mountain Resort for the Master Plan is earmarked for planning trails in the Prospect subdivision.

Chlipala moved and Levy seconded to appropriate \$2,000 from the venture fund to assist the Nordic Council in funding development of a Nordic Skiing Master Plan. Roll call vote taken with all voting yes. **Motion passed unanimously.**

D) Re-Appointment of Liz Sawyer to a Three-Year Term on the Board of Zoning and Architectural Review.

Building Official Bob Gillie noted that Sawyer could not attend the council meeting because she has relatives visiting. He explained that the Town has been advertising for another opening on the Board of Zoning and Architectural Review and has not received any applicants. Gillie indicated that Sawyer is interested in being re-appointed to BOZAR.

Helland moved and Chlipala seconded to re-appoint Liz Sawyer to a three-year term on the Board of Zoning and Architectural Review. Roll call vote taken with all present voting yes. (Levy was temporarily absent) **Motion passed unanimously.**

6. **LEGAL MATTERS/TOWN ATTORNEY** -None

7. **STAFF REPORTS**

Hughes:

- Gave a brief update on the Town website and noted that she's received many positive comments about the site. She also explained that nominating petitions for council and mayor for the November 1, 2005 election were available starting August 2 (today) and thus far Mayor James Schmidt is the only person to pick up a nominating petition.

Hess:

- Reported that officials with U.S. Energy would be meeting with the Gunnison County Board of Commissioners (BOCC) on August 3, 2005. Schmidt said he planned to attend and would invite U.S. Energy officials to attend a council meeting. He said the Town has concerns regarding the water treatment facility at the Keystone mine.
- Noted that the BOCC would be meeting on
- August 4, 2005 to consider the sketch plan for Whetstone Business Park. Bell explained the proponents of the Whetstone Business Park have still not provided information on a Revenue Sharing Plan with the Town of Crested Butte as promised. Bell said he was supportive of council submitting a letter to the BOCC withdrawing its support for the project. Schmidt noted that he spoke with one of the partners of the proposed Whetstone Business Park and he indicated that providing a legal opinion on Revenue Sharing would be costly and they did not want to do it until the proposed project made it through the sketch plan phase. Council indicated support for writing a letter withdrawing support for the project. Magner will draft the letter.

Levy moved and Chlipala seconded to send letter to the Gunnison County Board of Commissioners (BOCC) concerning the proposed Whetstone Business Park indicating that because the Town's concerns have not been satisfied the Town is withdrawing support for the project and recommending denial of the project. The letter should state that support is being withdrawn because the Town has not received a legal opinion from the proponents regarding a revenue sharing plan with the Town and the enforceability of revenue sharing. The letter should also include verbiage stating the importance

of retail sales to the Town of Crested Butte. Roll call vote taken with all voting yes. **Motion passed unanimously.**

- Noted that the sketch plan for the proposed Larkspur subdivision will be considered by the Gunnison County Planning Commission on August 5, 2005.
- Discussed his memo dated July 29, 2005 regarding Intergovernmental Agreements (IGAs) from around the Western Slope pertaining to Area Plans (such as the Crested Butte Three Mile Plan). Council agreed the Three Mile Plan (Crested Butte Area Plan) subcommittee should discuss the topic of an IGA with Gunnison County and make a recommendation to the full council.

Bell:

- Reported that Town received a notice of an appeal from Rob Quint of a Board of Zoning and Architectural Review decision concerning 402 Sopris Avenue. Chlipala noted that he spoke with Quint on the matter. Magner advised council not to discuss the matter with Quint since it is under appeal.
- Asked council if they were interested in considering a Resolution in support of state ballot referenda C and D. He noted that municipalities around the state are being asked to support passage of the referenda. Council asked Bell to provide information on the matter for the August 15 council meeting.
- Explained that Scott Truex (Mountain Express and Rural Transportation Authority Director) has been representing the Town on the Region 10 Clean Cities Program and unless council advises otherwise he would like Truex to continue to represent the Town. Council agreed with Bell.

Levy asked Bell about the letter in the packet from Bill Abraham expressing concern about the water situation getting out of control in the “wet zone” of Elk Ave. on 4th of July. Council agreed to discuss the matter in the future when 4th of July festivities are being planned. Council agreed the discussion should be held in conjunction with the Fire Department, the Chamber and other groups.

8. **COUNCIL REPORTS AND COMMITTEE UPDATES**

Levy:

- The Chamber will be hosting a First Friday event “Art at Altitude” at the Chamber building on Friday August 5, 2005.
- The West Elk Loop Scenic Byway Committee will be meeting at Town Hall on Friday August 5, 2005.

Coburn:

- A local citizen contacted him concerning the bear problem in town. Coburn said it’s time to promote more awareness regarding bear problems. Bell noted that the Town Community Service officer put out notices advising people not to put garbage out in plastic bags. Bell commented that the bear problem will need a regional approach. Coburn suggested a council subcommittee be formed and Levy suggested the

topic be added to the list of topics for discussion with Mt. Crested Butte as well as a topic for discussion with the U.S. Forest Service.

Helland:

- Explained he was uncomfortable with some of the Council's comments to U.S. Forest Service representatives at a recent work session. He noted that many of the topics were never discussed previously by Council. Schmidt asked Helland to write a memo about topics he thinks need to be discussed at a future council meeting or work session. Helland agreed to write a memo.

9. **OTHER BUSINESS TO COME BEFORE COUNCIL**

A) Consideration of appointment to state water roundtable related to passage of HB1177. Schmidt noted that the City of Gunnison's top choice for the appointment, representing municipalities in the area, is Tyler Martineau. Schmidt explained that Martineau is the former executive director of the Upper Gunnison Water Conservancy District and is well informed about water issues.

Levy moved and Helland seconded to recommend to other municipalities the appointment of Tyler Martineau to represent municipalities on the water round table being created as a result of HB1177. Roll call vote taken with all voting yes.

Motion passed unanimously.

Bell noted that he will contact the Elk Mountain Design Collaborative in response to their letter in the packet regarding additional work on the Crested Butte Arts and Recreation Master Plan. Bell said he will advise the consultants that the local arts community is working through some issues and he will contact them if additional work is needed.

Schmidt adjourned the meeting at 9:30 p.m. by unanimous consent.

James A. Schmidt, Mayor

Eileen Hughes, Town Clerk